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AUG 17 1998

August 17, 1998

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Ms. Magalie Roman Salas
1919 M Street, N.W.
Room 222
Washington, D.C. 20554

Re: Emergency Petition of Bell Atlantic Corporation For Authorization to End
West Virginia's Bandwidth Crisis; CC Docket 98-11; NSD-L-98-99

Dear Ms. Salas:

Enclosed is a Motion for Extension of Time to File Reply Comments in the
above-referenced proceeding. We ask the Commission to act promptly to grant the
extension.

Respectfully submitted,

A handwritten signature in cursive script that reads "Robert H. Griffen / N2H".

Robert H. Griffen

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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

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AUG 17 1998

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of)	
)	
Emergency Petition of Bell Atlantic)	NSD-L-98-99
Corporation for Authorization to)	
End West Virginia's Bandwidth Crisis)	CC Docket 98-11
)	

MOTION FOR EXTENSION OF TIME TO FILE REPLY COMMENTS

Bell Atlantic respectfully requests a short extension of time, to this Friday, August 21, 1998, to respond to the numerous comments received last week in the above-captioned proceeding.

Bell Atlantic has had only a few business days to collect its factual rebuttal. The comments were mailed to Bell Atlantic on Friday, August 10, and only received by Bell Atlantic last week. One key response was sent to the wrong location. AT&T, for example, certified that it mailed a copy of its comments to David Frost in West Virginia on August 10, 1998, when Bell Atlantic had noted in its pleading that service copies should go to Robert H. Griffen in Arlington, Virginia.

Other companies served their comments in a way that made it difficult for Bell Atlantic to respond effectively. Both MCI and Allegheny Communications Connect note on their service lists that they served the Commission by hand but served Bell Atlantic by mail. Since the Commission gave Bell Atlantic only a week to reply, and the companies made numerous factual allegations to which Bell Atlantic needs to respond, the act of

mailing – when the companies found it urgent enough to hand-serve the Commission with their replies – seems designed to delay Bell Atlantic’s response.

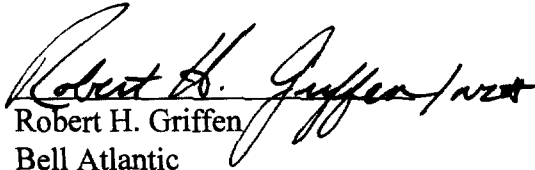
The length of the requested extension is reasonable given the fact that the Commission gave Bell Atlantic five business days to reply to the many factual allegations raised by the numerous commenters, and those commenters mailed their replies. In fact, under Commission rules, an extension of three days ordinarily would apply automatically under Commission rules: “If a document is required to be served upon other parties by statute or Commission regulation and the document is in fact served by mail . . . , and the filing period for a response is 10 days or less, an additional 3 days (excluding holidays) will be allowed to all parties in the proceeding for filing a response.” 47 C.F.R. §1.4(h). Here, the requested extension is only one day more than the Commission’s own rules recognize is reasonable. Under the circumstances of a fast reply schedule with extensive factual allegations in the comments that were mailed to Bell Atlantic, the additional one day is also reasonable.

There is no prejudice to any of the other parties, since the Petition was filed by Bell Atlantic and a delay of a few days will only delay the relief Bell Atlantic seeks. What the short extension will enable Bell Atlantic to do is respond more fully and effectively to the comments of the other parties, and give the Commission a complete and accurate picture of the availability of bandwidth in West Virginia. The Commission has granted other extensions recently when necessary to develop additional information that would be “beneficial to the record in this proceeding.” See, e.g., Order Granting Extension of Time, 1998 FCC Lexis 3981 (July 31, 1998).

If the Commission does not grant the extension today, Bell Atlantic plans to file a pleading as soon as possible, and no later than Friday of this week, for acceptance of late-filed comments with the comments attached.

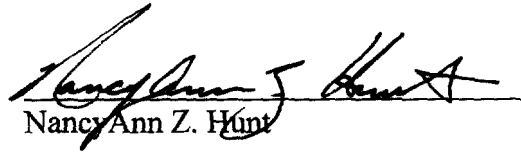
Sincerely,

Of Counsel:
Edward Young
Michael E. Glover
David B. Frost


Robert H. Griffen
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY on this 17th day of August, 1998, I mailed a copy of the foregoing Motion for Extension of Time to File Reply Comments by first class mail, postage prepaid, unless otherwise indicated, to the attached list of people.



Nancy Ann Z. Hunt

*HAND DELIVERED

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